

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x

SAMUEL C. PEREZ, JR.,

Plaintiff,
-against-

TRI STATE AUTO MALL, INC.,
AUTO PALACE INC., and
TEACHERS FEDERAL CREDIT UNION,

NOT FOR PUBLICATION
ORDER
10-CV-2389 (CBA) (JO)

Defendants.

-----x

AMON, Chief United States District Judge:

The Court has received the report and recommendation (R & R) of the Honorable James Orenstein, United States Magistrate Judge, dated May 20, 2011, which recommends that the Court enter judgment in favor of the plaintiff against defendant Tri State Auto Mall, Inc. The time for objecting to the R & R has passed.

As no party has objected to the R & R or requested additional time in which to object, the Court hereby adopts the conclusion that the plaintiff is entitled to a judgment against defendant Tri State Auto Mall, Inc. in the amount of \$15,000 as well as reasonable attorneys fees, costs, and expenses to be determined. The Court also adopts the conclusion that the plaintiff is not entitled to interest on the amount due.

Within one week of the date of this order, the plaintiff shall provide the Court with a bill of costs and contemporaneous attorney billing records establishing the amount of “reasonable attorney’s fees, costs and expenses accrued as a result of the breach.” (Settlement Agreement ¶ 8.) After the Court has reviewed the materials submitted, it will direct the Clerk of Court to enter judgment in the appropriate amount.

The plaintiff is further directed to advise the Court within one week of the date of this order how he wishes to proceed against the remaining defendants, Auto Palace Inc. and Teachers Federal Credit Union.

SO ORDERED.

Dated: Brooklyn, New York
June 15, 2011

/s/
Carol Bagley Amon
United States District Judge